



House of Representatives

General Assembly

File No. 499

January Session, 2001

Substitute House Bill No. 6147

House of Representatives, April 26, 2001

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING GENDER SPECIFIC SERVICES AND PROGRAMS FOR JUVENILE OFFENDERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (l) of section 17a-6 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (l) Provide or arrange for the provision of suitable education for
4 every child under [his] the commissioner's supervision, either in public
5 schools, special educational programs, private schools, educational
6 programs within the institutions or facilities under [his] the
7 commissioner's jurisdiction, or work and training programs otherwise
8 provided by law and assure that programs for juvenile offenders are
9 gender specific in that they comprehensively address the unique needs
10 of a targeted gender group. The suitability of educational programs
11 provided by the commissioner shall be subject to review by the
12 Department of Education.

13 Sec. 2. Section 46b-121h of the general statutes is repealed and the
14 following is substituted in lieu thereof:

15 It is the intent of the General Assembly that the juvenile justice
16 system provide individualized supervision, care, accountability and
17 treatment in a manner consistent with public safety to those juveniles
18 who violate the law. The juvenile justice system shall also promote
19 prevention efforts through the support of programs and services
20 designed to meet the needs of juveniles charged with the commission
21 of a delinquent act. The goals of the juvenile justice system shall be to:

22 (1) Hold juveniles accountable for their unlawful behavior;

23 (2) Provide secure and therapeutic confinement to those juveniles
24 who present a danger to the community;

25 (3) Adequately protect the community and juveniles;

26 (4) Provide programs and services that are community-based and
27 are provided in close proximity to the juvenile's community;

28 (5) Retain and support juveniles within their homes whenever
29 possible and appropriate;

30 (6) Base probation treatment planning upon individual case
31 management plans;

32 (7) Include the juvenile's family in the case management plan;

33 (8) Provide supervision and service coordination where appropriate
34 and implement and monitor the case management plan in order to
35 discourage reoffending;

36 (9) Provide follow-up and nonresidential postrelease services to
37 juveniles who are returned to their families or communities;

38 (10) Promote the development and implementation of community-

39 based programs including, but not limited to, mental health services,
40 designed to prevent unlawful behavior and to effectively minimize the
41 depth and duration of the juvenile's involvement in the juvenile justice
42 system; and

43 (11) Create and maintain programs for juvenile offenders that are
44 gender specific in that they comprehensively address the unique needs
45 of a targeted gender group.

46 Sec. 3. Section 46b-121k of the general statutes is repealed and the
47 following is substituted in lieu thereof:

48 (a) The Office of Alternative Sanctions shall be charged with the
49 duty of developing constructive programs for the prevention and
50 reduction of delinquency and crime among juvenile offenders. To that
51 end, the director shall cooperate with other agencies to encourage the
52 establishment of new programs and to provide a continuum of
53 services for juvenile offenders who do not require secure placement.
54 The programs shall be tailored to the type of juvenile including the
55 juvenile's offense history, age, gender, mental health and chemical
56 dependency problem, and other characteristics. The Office of
57 Alternative Sanctions shall develop programs that provide: (1)
58 Intensive general educational programs, with an individual
59 educational plan for each juvenile; (2) specific educational components
60 in the management of anger and nonviolent conflict resolution; (3)
61 treatment for chemical dependency; (4) mental health screening,
62 assessment and treatment; and (5) sexual offender treatment.

63 (b) The Office of Alternative Sanctions may contract to establish
64 regional secure residential facilities and regional highly supervised
65 residential and nonresidential facilities for juveniles referred by the
66 court. Such facilities shall operate within contracted-for capacity limits.
67 Such facilities shall be exempt from the licensing requirements of
68 section 17a-145.

69 (c) The Office of Alternative Sanctions shall collaborate with private
70 residential facilities providing residential programs and with
71 community-based nonresidential postrelease programs.

72 (d) Any program developed by the Office of Alternative Sanctions
73 that is designed to prevent or reduce delinquency and crime among
74 juvenile offenders shall be gender specific and shall comprehensively
75 address the unique needs of a targeted gender group.

KID *Joint Favorable Subst. C/R*

JUD

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Potential Significant Cost

Affected Agencies: Departments of Children and Families,
Education; Judicial Department

Municipal Impact: Potential Indeterminate Cost

Explanation

State and Municipal Impact:

This bill makes changes affecting the Departments of Children and Families and Education and the Office of Alternative Sanctions under the Judicial Department. Associated fiscal impacts are as follows:

Department of Children and Families

The bill requires the Department of Children and Families (DCF) to ensure that education, work and training programs provided to juvenile offenders under the Commissioner's supervision be gender specific. This provision would apply to juvenile justice clients in: (1) state-operated facilities (Long Lane School, Connecticut Juvenile Training School, Riverview Hospital), (2) private residential treatment facilities (both in and out-of-state), (3) on parole (in the community), and (4) in foster care (in the community).

The extent to which the department can comply with this mandate is uncertain. Section 17a-6 (l) CGS encompasses educational

programming provided in: (1) public schools, (2) private schools, (3) state-operated institutions, and (4) work and training programs. DCF has direct control of programming provided within its state-operated facilities and indirect control of services provided by private residential facilities with which it contracts. Services provided by public schools are subject to education law, which specifically prohibits discrimination in public schools based upon gender (Section 10 - 15c CGS).

Should the bill be interpreted to require private residential treatment facilities to customize education programs for juvenile justice clients according to gender, a potential significant cost will result for DCF, the State Department of Education and local education authorities (LEAs). This cost would be associated with reimbursing these facilities for additional staff and other resources dedicated to operating two distinct education programs. The magnitude of these costs cannot be quantified at this time.

The opening of the new Connecticut Juvenile Training School is anticipated in June 2001. Male clients will transition from the old Long Lane School during the months of August to November 2001, after which time only female residents will remain on the grounds of Long Lane School. A bond authorization of \$11 million is contained within sSB 212 ("An Act Concerning Authorization of Bonds of the State for Certain Public Health Purposes," as favorably reported by the Finance, Revenue and Bonding Committee) to support construction of a juvenile training facility for girls. This supplements a prior bond authorization of \$9 million, to make available \$20 million for the construction of this facility, which is anticipated to open in FY 04.

While the girl's training school is expected to provide customized programming for female clients when it is operational, no funding has been included within sHB 6668 (the Appropriations Act, as favorably reported by the Appropriations Committee) to allow for

comprehensive gender specific programming as of October 1, 2001. Achieving this would result in an indeterminate cost to the department.

An indeterminate number of youth residing at Riverview Hospital (the state's psychiatric hospital for children and youth) are juvenile justice clients. This facility operates its own on-site school under the auspices of Unified School District II. Additional indeterminate costs would result from developing separate educational programming for male and female juvenile justice clients.

As of March 9, 2001, DCF had a total of 172 female and approximately 600 male juvenile justice clients. Of the female population: 33 were at Long Lane School; 34 were in private residential programs specifically designed for females; 78 were in other private facilities (both in and out-of-state); 1 was in prison; and 26 were on parole.

Office of Alternative Sanctions

The impact of the bill on Judicial Department programs is uncertain. The bill could result in no impact, could reduce the total number of juveniles served or it could increase the cost of future programs for juvenile offenders operated by the Judicial Department. Since the bill appears to apply only to programs developed on and after October 1, 2001, if no new programs were developed there would be no fiscal impact. However, for any programs that are developed, the cost could be 10%-25% higher since some economies of scale may be harder to achieve with smaller sized programs. It should be noted that although this cost could be higher in the short term, there would likely be no net cost in the long term as new programs are restructured within existing programs to take advantage of economies of scale.

Currently, the agency contracts for a variety of programs¹ for both males and females totaling over \$20 million. About 40% of this funding is allocated for females and 60% for males. There are about 3,500 juveniles being served by these programs at any one time. Most of these services are site based, and are offered in a group format. The cost of siting a program serving the same total number of people in two locations is generally more costly than that for one location due to the need for administrative oversight in each location and higher rent costs per person. Most programs serve about 20 individuals.

¹ Including mediation, mental health and substance abuse treatment, juvenile justice centers, outreach and monitoring, supervision and reporting centers, alternatives to detention, and secure detention for females (not including the state's three juvenile detention facilities).

OLR BILL ANALYSIS

sHB 6147

AN ACT CONCERNING GENDER SPECIFIC SERVICES AND PROGRAMS FOR JUVENILE OFFENDERS.**SUMMARY:**

This bill makes assuring that programs for juvenile offenders comprehensively address the unique needs of targeted gender groups ("gender specific programming") one of the goals of the state's juvenile justice system.

The bill requires the Judicial Branch's Office of Alternative Sanctions to ensure that all of its crime prevention and reduction programs for juvenile offenders are gender specific. And it requires the Department of Children and Families (DCF) commissioner to assure that the department's education, work, and training programs for juvenile offenders under its supervision are gender specific. By law, the education commissioner must review the suitability of DCF's educational programs. (Neither the bill nor current law defines "juvenile offender." Presumably, the term applies to both delinquents and serious juvenile offenders, both of which are defined in law.)

Finally, the bill specifies that mental health services are included in the community-based programs the DCF commissioner is responsible for promoting in order to prevent juvenile crime and minimize children's involvement with the juvenile justice system.

EFFECTIVE DATE: October 1, 2001

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute Change of Reference

Yea 12 Nay 0

Judiciary Committee

Joint Favorable Substitute

Yea 39 Nay 0